

ARREST



HBID ARREST NUMBER: 14-0137

DEFENDANT(S) NAME DOB
Marshall, Michael 11/02/86
Mavangira

6801 Hollywood Blvd. #169
Hollywood, Ca. 90028 (323) 465-
0122

ARREST CODE	DATE	TIME
41.27 (c) L.A.M.C.	02/14/14	1:45 PM
Drinking in public		
OFFICER: Ramirez, H. #139		
OFFICER: Trujillo, R. #136		

SOURCE OF ACTIVITY:

On Friday, February 14, 2014 at approximately 1340 hours, my partner (Officer Trujillo #139) and I (Officer Ramirez #136) were working as contracted, uniformed security officers for the Hollywood Business Improvement District (H.B.I.D.) / Andrews International 6801 Hollywood Boulevard Hollywood, CA. 90028 (323) 465-0122. We were assigned to the Bicycle Team as B-2.

INVESTIGATION:

While in the 6400 block of Hollywood Boulevard, we noticed two M/B/A subjects seated on the bus bench located on the north side of Hollywood Boulevard just east of Wilcox Avenue. One subject (later identified as Spears, Easton Damon D.O.B. 03/23/71), was holding a can that was partially concealed by a plastic bag. Spears pour some of it's contents into a clear plastic bottle (Crystal Geyser 16.9 ounce). Spears than handed the bottle to the other M/B/A (later identified as Marshall, Michael Mavangira D.O.B. 11/02/86). Spears than placed the container on the sidewalk next to his right foot.

Based on our experience it is very common that subjects often pour an alcoholic beverage into a "plain" container to avoid detection from Law Enforcement and/or B.I.D. Officers. Believing that perhaps the container was an alcoholic beverage we decided to conduct a stationary surveillance from across the street (Hollywood Boulevard).

While conducting the surveillance, we had a clear and unobstructed view of Spears and Marshall. We observed Marshall look to his left / right and then raise the "Crystal Geyser" bottle to his mouth/lips, take a long drink, and screw its top. A few minutes later, we observed Spears reach down with his right hand

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and grabbed the can/plastic bag. He looked left and right than raised the container to his lips/mouth and took a long drink. He placed the container back down on the sidewalk next to his right foot.

Believing that they were drinking an alcoholic beverage in public, we decided to make contact with Spears and Marshall. As we pedaled up to them, I saw Spears bring his right foot around the container/bag and attempted to conceal it from our view, thus causing me to become suspicious of the container.

Spears and Marshall were explained the reason of our contact. As I looked down at the container, the plastic bag was loose thus exposing the side, which read "Four Lokos", an alcoholic drink with 12% alcohol per volume. I reached down and grabbed the can, which was approximately $\frac{1}{2}$ full and cold to the touch (23.5 ounce Watermelon flavor).

Neither Spears nor Marshall had any identification with them. While obtaining their respective biological information, I smelled a mild to moderate odor of an alcoholic beverage emitting from their respective breath and person.

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We advised Spears and Marshall that we were placing them under "Private Person's Arrest", as per 837 Penal Code - (Private Person's Arrest - Authority To Arrest / see attached for) for 41.27 (c) Los Angeles Municipal Code - (Drinking in public).

B.I.D. Officers Cox and Mooney responded to our location for transportation. Spears and Marshall were escorted to the patrol car #3 and sat them in the rear passenger seat and their seatbelts were adjusted properly.

ADDITIONAL:

Spears has 24 prior arrests by H.B.I.D. officers (20 for drinking, 2 for urinating, 1 for trespassing and one for Parole Violation).

Marshall has no prior contacts/arrests by H.B.I.D.

Spears purchased the "Four Lokos" at the 7-11 Store (1810 Cahuenga Boulevard).

CITE and RELEASE:

Cox and Mooney transported Spears and Marshall to the L.A.P.D. Hollywood Station. Spears' and Marshall's identification was subsequently confirmed by LAPD - Hollywood Desk Officer Lear #39451, via C.L.E.T.S. (California Law Enforcement Telecommunication).

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Spears and Marshall were issued a "Release From Custody" citation as follows; (Spears RFC# B09074 and Marshall RFC# B09075) for the listed violation and were ordered to appear at the Metropolitan Court House, 1945 South Hill Street, Los Angeles, 90007, on 04/10/2014, at 0830 Hours with the approval of the Watch Commander Sergeant Slater.

EVIDENCE:

The "Four Lokos" 23.5 ounce 12% alcohol per volume
"Crystal Geyser" 16.9 ounce container
I disposed both containers along with its liquid substance at the scene in a trashcan.

PICTURE(S):



INJURY AND MEDICAL TREATMENT:

None reported or observed at the time of the arrest.

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